REMARKS

Claims **1-6, 8-18, and 21** are pending in the application.

Claims **1, 3, 5, 6, 8, 14, 15, 21 and 23** stand rejected.

Claims **2, 4, 9-13, 16-18, and 22** stand objected.

Claims **21** and **23** have been amended.

Claim **22** has been cancelled, without prejudice.

Applicants express heartfelt appreciation for the withdrawal of the objection to claim 11, and Applicants acknowledge that the Examiner has found claims 2, 4, 9, 10, 11, 12, 13, 16, 17, 18, and 22 to be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Applicants also wish to warmly thank the Examiner for considering and finding persuasive Applicants' arguments submitted with the Preliminary Amendment.

Claim Objections

The Examiner has objected to claims 2, 4, 9-13, 16-18, and 22 as being dependent upon a rejected base claim. In view of the below arguments with respect to independent claims 1 and 14, Applicants respectfully request that the objections to dependent claims 2, 4, 9- 13, and 16-18 be withdrawn. Regarding dependent claim 22, said claim has be canceled without prejudice herein with the limitation being added to independent base claim 21. Thus, Applicants respectfully submit that amended independent claim 21 now meets the Examiner's condition for allowance.

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Rejection of Claims under 35 U.S.C. § 102

Claims 1 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Liang et

al, U.S. Patent No. 5,781,529 ("Liang"). Applicants respectfully traverse this rejection for the

following reasons.

As generally required by independent claim 14, independent claim 1 recites the

following:

> A method comprising:
> a first network switch receiving a message at one of a plurality of
>> interfaces to the first network switch, wherein the message
>> comprises data;
> the first network switch generating first data as a function of both the data
>> and first interface identifier data, wherein the first interface
>> identifier data corresponds to the one of the plurality of interfaces
>> to the first network switch and wherein generating the first data
>> comprises concatenating the first interface identifier data with the
>> data;
> the first network switch replacing the data in the message with the first
>> data thereby creating a first modified message;
> the first network switch outputting the first modified message at another of
>> the plurality of interfaces to the first network switch.

In response to Applicants' amendments/arguments in the Preliminary Amendment of the

Request for Continued Examination application filed December 28, 2005, the Examiner refers to

Fig. 4, col. 6, lines 1-16 of Liang. On page 8 of the Office Action dated March 23, 2006, the

Examiner states that the "data" is now interpreted as BYTE 0 shown in Liang's Fig. 5. Liang

states the following:

> According to the invention, and as seen in FIG. 3, a
> "Routing DTL" information element is added by the source node to
> the level 3 SETUP request of the caller. In a preferred embodiment
> of the invention, the *Routing DTL IE is between six and sixty bytes
> in length, and as seen in FIG. 4 is essentially a concatenation of
> six-byte elements.* Each six-byte element is formatted to provide
> certain desirable information which will permit a call to be routed

from a source to a destination. The preferred format of each six-byte element is seen in FIG. 5. *A first byte (byte 0) of the six-byte element is a node identification* (e.g., APEX switch ID) which contains the node number which will be processing the DTL. The next two bytes *(bytes 1 and 2) describe the node input and output ports* which are receiving and sending the message. Since the preferred APEX switch identifies ports via "slots" and "links", bytes 1 and 2 are broken out as an "input slot ID" field, and "input link" field, and "output slot" field, and an "output link" field as shown in FIG. 5, although it will be appreciated that other switches might simply identify ports.

(Liang, col. 5, line 66 – col. 6, line 18, emphasis added)

Applicants respectfully submit that the Examiner's interpretation of "data" as disclosed by Liang does not make sense when applied as required by Applicants' independent claim 1. For example, if, as suggested by the Examiner's interpretation, BYTE 0 of Liang were to equate to the "data" of Applicants' claim 1, and, as suggested by the Examiner, BYTE 1 of Liang were to equate to the "first interface identifier data" of Applicants' claim 1, then Applicants' claimed "first data" would equate to a concatenation of Liang's BYTE 0 and BYTE 1. Using the Examiner's interpretation, Applicants' claimed "replacing the data in the message with the first data" would mean BYTE 0 of Liang's ELEMENT #2 was replaced with the concatenated BYTE 0 and BYTE 1 of ELEMENT #2. Applicants respectfully submit that such an operation is not shown in the cited portions of Liang, nor does the interpretation make sense because replacing a single byte with multiple bytes clearly modifies the single byte nature of BYTE 0 as disclosed by Liang. Thus, the cited portions of Liang do not support the Office Action's 102 rejection of independent claim 1 because, using the Examiner's interpretations, Liang does not show "replacing the data in the message [BYTE 0] with the first data [BYTE 0 and BYTE 1]" as would be required by Applicants' independent claim 1.

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Therefore, Applicants respectfully urge the Examiner to withdraw the 35 U.S.C. § 102(b) rejection of independent claims 1 and 14 as being anticipated by Liang.

Rejection of Claims under 35 U.S.C. § 103

Claims 3, 5, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang et al, U.S. Patent No. 5,781,529 ("Liang"). Applicants respectfully traverse this rejection for the following reasons.

As conceded on page 4 of the Office Action dated March 23, 2006, Liang fails to teach "the first network switch storing data relating to the first SVC/the allocated portion of its data processing resources into a memory location... ." In view of the conceded deficiency of Liang, the Examiner states that "official notice is taken that data relating to the first SVC/the allocated portion of its data processing resources ... is usually stored into a memory location of the node in order to keep track of the resource being allocated and the SVC being established ...."

In response to the Examiner's assertion of official notice, Applicants respectfully submit that the Examiner's own equivocations with respect to the meaning of the claimed term "data" demonstrates that official notice is improper with respect to dependent claims 3, 5, and 15. Specifically, on page 8 of the instant Office Action, the Examiner states that the "office is now interpreting the 'data' as BYTE 0 ..." in contrast to the earlier interpretation of the data as being interpreted as BYTE 1 as stated in the Advisory Action of December 13, 2005. The simple fact that the Examiner has been unable to settle on a particular definition for the claimed data serves as substantial proof that taking official notice with respect to the data is misplaced when referring to the claimed data.

Further, as demonstrated by Applicants, since the 102 rejection of independent base claims 1 and 14 should be withdrawn and such claims should stand in condition for allowance, allowance of dependent claims 3, 5, and 15 is supported herein.

Claims 6, 8, 21 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang in view of the admitted prior art (Background of the Invention of the Specification). Applicants respectfully traverse this rejection and also amend other claims to place the claims in condition for allowance.

Dependent claims 6 and 8 should be allowed for at least the reason that these claims add limitations to otherwise allowable base claim 1.

Regarding independent claim 21, Applicants have amended the claim to add the limitations from dependent claim 22 that have been deemed allowable by the Examiner.

Regarding independent claim 23, Applicants have amended the claim to include some of the allowable limitations discussed herein with respect to independent claims 1 an 14.

Therefore, Applicants urge the Examiner to withdraw the 35 U.S.C. § 103(a) rejections of claims 6, 8, 21, and 23. Applicants respectfully solicit a Notice of Allowance for these pending claims.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice

to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject

to resolution through a telephonic interview, the Examiner is requested to telephone the

undersigned.

Respectfully submitted,

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in
an envelope addressed to: Mail Stop Amendment,
Commissioner for Patents, P. O. Box 1450, Alexandria,
Virginia, 22313-1450, on May 31, 2006.

_____ 5/31/06
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